ALTERNATIVE FUEL HEAVY EQUIPMENT TAX CREDIT

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: ____________

LONG TITLE

General Description:

This bill provides incentives for the purchase of alternative fuel heavy equipment.

Highlighted Provisions:

This bill:

- defines terms;
- provides a corporate and an individual nonrefundable tax credit for the purchase of certain alternative fuel heavy equipment;
- authorizes the Utah Inland Port Authority to provide a matching grant to any person who qualifies for the tax credit;
- provides a sunset date for the tax credit and matching grant; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides retrospective operation.

Utah Code Sections Affected:

AMENDS:

11-58-203, as last amended by Laws of Utah 2020, Chapter 126

59-7-618.1, as enacted by Laws of Utah 2021, Chapter 371

59-10-1033.1, as enacted by Laws of Utah 2021, Chapter 371

H.B. 311

63I-1-211, as last amended by Laws of Utah 2020, Chapter 334

63I-1-259, as last amended by Laws of Utah 2021, Chapters 64 and 371

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **11-58-203** is amended to read:

11-58-203. Policies and objectives of the port authority -- Additional duties of the port authority.

(1) The policies and objectives of the authority are to:

(a) maximize long-term economic benefits to the area, the region, and the state;

(b) maximize the creation of high-quality jobs;

(c) respect and maintain sensitivity to the unique natural environment of areas in proximity to the authority jurisdictional land and land in other authority project areas;

(d) improve air quality and minimize resource use;

(e) respect existing land use and other agreements and arrangements between property owners within the authority jurisdictional land and within other authority project areas and applicable governmental authorities;

(f) promote and encourage development and uses that are compatible with or complement uses in areas in proximity to the authority jurisdictional land or land in other authority project areas;

(g) take advantage of the authority jurisdictional land's strategic location and other features, including the proximity to transportation and other infrastructure and facilities, that make the authority jurisdictional land attractive to:

(i) businesses that engage in regional, national, or international trade; and

(ii) businesses that complement businesses engaged in regional, national, or international trade;

(h) facilitate the transportation of goods;

(i) coordinate trade-related opportunities to export Utah products nationally and internationally;

(j) support and promote land uses on the authority jurisdictional land and land in other authority project areas that generate economic development, including rural economic development;

(k) establish a project of regional significance;

(l) facilitate an intermodal facility;

(m) support uses of the authority jurisdictional land for inland port uses, including warehousing, light manufacturing, and distribution facilities;

(n) facilitate an increase in trade in the region and in global commerce;

(o) promote the development of facilities that help connect local businesses to potential foreign markets for exporting or that increase foreign direct investment;

(p) encourage all class 5 though 8 designated truck traffic entering the authority jurisdictional land to meet the heavy-duty highway compression-ignition diesel engine and urban bus exhaust emission standards for year 2007 and later; and

(q) encourage the development and use of cost-efficient renewable energy in project areas.

(2) In fulfilling its duties and responsibilities relating to the development of the authority jurisdictional land and land in other authority project areas and to achieve and implement the development policies and objectives under Subsection (1), the authority shall:

(a) work to identify funding sources, including federal, state, and local government funding and private funding, for capital improvement projects in and around the authority jurisdictional land and land in other authority project areas and for an inland port;

(b) review and identify land use and zoning policies and practices to recommend to municipal land use policymakers and administrators that are consistent with and will help to achieve:

(i) the policies and objectives stated in Subsection (1); and

(ii) the mutual goals of the state and local governments that have authority jurisdictional land with their boundaries with respect to the authority jurisdictional land;

(c) consult and coordinate with other applicable governmental entities to improve and enhance transportation and other infrastructure and facilities in order to maximize the potential of the authority jurisdictional land to attract, retain, and service users who will help maximize the long-term economic benefit to the state; and

(d) pursue policies that the board determines are designed to avoid or minimize negative environmental impacts of development.

(3) (a) The authority may use property tax differential and other authority money to

encourage, incentivize, or require development that:

(i) mitigates noise, air pollution, light pollution, surface and groundwater pollution, and other negative environmental impacts;

(ii) mitigates traffic congestion; or

(iii) uses high efficiency building construction and operation.

(b) (i) In consultation with the municipality in which development is expected to occur, the authority shall establish minimum mitigation and environmental standards that a landowner is required to meet to qualify for the use of property tax differential in the landowner's development.

(ii) The authority may not use property tax differential for a landowner's development in a project area unless the minimum mitigation and environmental standards are followed with respect to that landowner's development.

(c) The authority may develop and implement world-class, state-of-the-art, zero-emissions logistics that support continued growth of the state's economy in order to:

(i) promote the state as the global center of efficient and sustainable supply chain logistics;

(ii) facilitate the efficient movement of goods on roads and rails and through the air;

(iii) benefit the commercial viability of developers, landowners, and tenants and users; and

(iv) attract capital and expertise in pursuit of the next generation of logistics solutions.

(4) (a) Subject to the provisions of this chapter and policies adopted by the authority, in accordance with this Subsection (4), the authority may provide grants for the purchase of certain zero emissions and near zero emissions heavy equipment.

(b) Upon application, the authority may provide a grant to a person who:

(i) makes a qualified purchase as defined in Section 59-7-618.1 or 59-10-1033.1; and

(ii) obtains a tax credit certificate as defined in Section 59-7-618.1 or 59-10-1033.1.

(c) The amount of a grant provided under this subsection may not exceed the amount of the tax credit for which the person qualifies under Section 59-7-618.1 or 59-10-1033.1.

Section 2. Section **59-7-618.1** is amended to read:

59-7-618.1. Tax credit related to alternative fuel heavy duty vehicles.

(1) As used in this section:

(a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act.

(b) "Director" means the director of the Division of Air Quality appointed under Section 19-2-107.

[~~(c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to vehicle classifications established by the Federal Highway Administration.~~]

(c) (i) "Heavy equipment" means self-propelled, self-powered, or pull-type equipment or machinery used primarily for commercial or industrial purposes.

(ii) "Heavy equipment" does not include a category 1 or 2 vehicle, as categorized according to the vehicle classifications established by the Federal Highway Administration.

(d) "Natural gas" includes compressed natural gas and liquified natural gas.

[~~(e) "Qualified heavy duty vehicle" means a heavy duty vehicle that:~~]

[~~(i) has never been titled or registered and has been driven less than 7,500 miles; and~~]

[~~(ii) is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric drivetrain.~~]

(e) "Near zero emissions credit amount" means:

(i) for qualified heavy equipment that has a power rating of 1,000 horsepower or less, $25 multiplied by the qualified heavy equipment's power rating, measured in horsepower; or

(ii) for qualified heavy equipment that has a power rating of more than 1,000 horsepower, $50 multiplied by the qualified heavy equipment's power rating, measured in horsepower.

(f) "Qualified heavy equipment" means:

(i) for a taxable year beginning on or after January 1, 2022, and before January 1, 2025, heavy equipment that:

(A) is fueled by natural gas, has a battery-electric drivetrain, or has a fuel cell electric drivetrain; and

(B) produces zero emissions or satisfies the near zero emissions standard; or

(ii) for a taxable year beginning on or after January 1, 2025, heavy equipment that has a battery-electric drivetrain or a fuel cell electric drivetrain.

(g) "Near zero emissions standard" means nitrogen oxide emissions of 0.02 grams per brake horsepower-hour (g/bhp-hr).

[~~(f)~~] (h) "Qualified purchase" means the purchase of [~~a qualified heavy duty vehicle~~] qualified heavy equipment.

[~~(g)~~] (i) "Qualified taxpayer" means a taxpayer that:

[~~(i) purchases a qualified heavy duty vehicle; and~~]

(i) makes a qualified purchase; and

(ii) receives a tax credit certificate from the director.

[~~(h) "Small fleet" means 40 or fewer heavy duty vehicles registered in the state and owned by a single taxpayer.~~]

[~~(i)~~] (j) "Tax credit certificate" means a certificate issued by the director certifying that a taxpayer is entitled to a tax credit as provided in this section and stating the amount of the tax credit.

(k) "Zero emissions credit amount" means:

(i) for qualified heavy equipment that has a power rating of 1,000 horsepower or less, $500 multiplied by the qualified heavy equipment's power rating, measured in horsepower; or

(ii) for qualified heavy equipment that has a power rating of more than 1,000 horsepower, $1,000 multiplied by the qualified heavy equipment's power rating, measured in horsepower.

[~~(2) A qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act:~~]

[~~(a) in an amount equal to:~~]

[~~(i) $15,000, if the qualified purchase occurs during calendar year 2021;~~]

[~~(ii) $13,500, if the qualified purchase occurs during calendar year 2022;~~]

[~~(iii) $12,000, if the qualified purchase occurs during calendar year 2023;~~]

[~~(iv) $10,500, if the qualified purchase occurs during calendar year 2024;~~]

[~~(v) $9,000, if the qualified purchase occurs during calendar year 2025;~~]

[~~(vi) $7,500, if the qualified purchase occurs during calendar year 2026;~~]

[~~(vii) $6,000, if the qualified purchase occurs during calendar year 2027;~~]

[~~(viii) $4,500, if the qualified purchase occurs during calendar year 2028;~~]

[~~(ix) $3,000, if the qualified purchase occurs during calendar year 2029; and~~]

[~~(x) $1,500, if the qualified purchase occurs during calendar year 2030; and~~]

[~~(b) if the qualified taxpayer certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state.~~]

[~~(3) (a) Except as provided in Subsection (3)(b), a taxpayer may not submit an application for, and the director may not issue to the taxpayer, a tax credit certificate under this section in any taxable year for a qualified purchase if the director has already issued tax credit certificates to the taxpayer for 10 qualified purchases in the same taxable year.~~]

[~~(b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of tax credits under Subsection (5) has not been claimed, a taxpayer may submit an application for, and the director may issue to the taxpayer, one or more tax credit certificates for up to eight additional qualified purchases, even if the director has already issued to that taxpayer tax credit certificates for the maximum number of qualified purchases allowed under Subsection (3)(a).~~]

[~~(4) (a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits available under this section for qualified taxpayers with a small fleet.~~]

[~~(b) Subsection (4)(a) does not prevent a taxpayer from submitting an application for, or the director from issuing, a tax credit certificate if, before October 1, qualified taxpayers with a small fleet have not reserved under Subsection (5)(b) tax credits for the full amount reserved under Subsection (4)(a).~~]

[~~(5) (a) The aggregate annual total amount of tax credits represented by tax credit certificates that the director issues under this section and Section 59-10-1033.1 may not exceed \$500,000.~~]

[~~(b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to establish a process under which a taxpayer may reserve a potential tax credit under this section for a limited time to allow the taxpayer to make a qualified purchase with the assurance that the aggregate limit under Subsection (5)(a) will not be met before the taxpayer is able to submit an application for a tax credit certificate.~~]

(2) For a taxable year beginning on or after January 1, 2022, and before January 1, 2031, a qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act:

(a) in an amount equal to:

(i) except as provided in Subsection (2)(a)(ii), the zero emissions credit amount; or

(ii) for a qualified purchase that is heavy equipment fueled by natural gas, the near zero emissions credit amount; and

(b) if the qualified taxpayer certifies under oath that:

(i) the qualified heavy equipment will be used in the state; or

(ii) if the qualified equipment is a motor vehicle as defined in Section 41-1a-102, over 50% of the miles that the qualified heavy equipment will travel annually will be within the state.

(3) (a) The director may not issue to a qualified taxpayer one or more tax credit certificates that, in aggregate, exceed $500,000 in tax credit under this section for a taxable year.

(b) The director may reduce the amount of tax credit that is allowed under this section for a qualified purchase to the extent necessary to comply with the limit established in Subsection (3)(a).

[~~(6)~~] (4) (a) (i) A taxpayer wishing to claim a tax credit under this section shall, using forms the board requires by rule:

(A) submit to the director an application for a tax credit;

(B) provide the director proof of a qualified purchase; and

(C) submit to the director the certification under oath required under Subsection (2)(b).

(ii) Upon receiving the application, proof, and certification required under Subsection [~~(6)~~] (4)(a)(i), the director shall provide the taxpayer a written statement from the director acknowledging receipt of the proof.

(b) If the director determines that a taxpayer qualifies for a tax credit under this section, the director shall:

(i) determine the amount of tax credit the taxpayer is allowed under this section; and

(ii) provide the taxpayer with a written tax credit certificate:

(A) stating that the taxpayer has qualified for a tax credit; and

(B) showing the amount of tax credit for which the taxpayer has qualified under this section.

(c) A qualified taxpayer shall retain the tax credit certificate.

(d) The director shall at least annually submit to the commission a list of all qualified taxpayers to which the director has issued a tax credit certificate and the amount of each tax credit represented by the tax credit certificates.

[~~(7)~~] (5) The tax credit under this section is allowed only:

(a) against a tax owed under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act, in the taxable year by the qualified taxpayer; and

(b) for the taxable year in which the qualified purchase occurs[~~; and~~].

[~~(c) once per vehicle.~~]

[~~(8)~~] (6) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this section to another person.

[~~(9)~~] (7) If the qualified taxpayer receives a tax credit certificate under this section that allows a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act, for a taxable year, the qualified taxpayer may carry forward the amount of the tax credit that exceeds the tax liability for a period that does not exceed the next five taxable years.

Section 3. Section **59-10-1033.1** is amended to read:

59-10-1033.1. Tax credit related to alternative fuel heavy duty vehicles.

(1) As used in this section:

(a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act.

(b) "Director" means the director of the Division of Air Quality appointed under Section 19-2-107.

[~~(c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to vehicle classifications established by the Federal Highway Administration.~~]

(c) (i) "Heavy equipment" means self-propelled, self-powered, or pull-type equipment or machinery used primarily for commercial or industrial purposes.

(ii) "Heavy equipment" does not include a category 1 or 2 vehicle, as categorized according to the vehicle classifications established by the Federal Highway Administration.

(d) "Natural gas" includes compressed natural gas and liquified natural gas.

[~~(e) "Qualified heavy duty vehicle" means a heavy duty vehicle that:~~]

[~~(i) has never been titled or registered and has been driven less than 7,500 miles; and~~]

[~~(ii) is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric drivetrain.~~]

(e) "Near zero emissions credit amount" means:

(i) for qualified heavy equipment that has a power rating of 1,000 horsepower or less, $25 multiplied by the qualified heavy equipment's power rating, measured in horsepower; or

(ii) for qualified heavy equipment that has a power rating of more than 1,000 horsepower, $50 multiplied by the qualified heavy equipment's power rating, measured in horsepower.

(f) "Near zero emissions standard" means nitrogen oxide emissions of 0.02 grams per brake horsepower-hour (g/bhp-hr).

(g) "Qualified heavy equipment" means:

(i) for a taxable year beginning on or after January 1, 2022, and before January 1, 2025, heavy equipment that:

(A) is fueled by natural gas, has a battery-electric drivetrain, or has a fuel cell electric drivetrain; and

(B) produces zero emissions or satisfies the near zero emissions standard; or

(ii) for a taxable year beginning on or after January 1, 2025, heavy equipment that has a battery-electric drivetrain or a fuel cell electric drivetrain.

[~~(f)~~] (h) "Qualified purchase" means the purchase of [~~a qualified heavy duty vehicle~~] qualified heavy equipment.

[~~(g)~~] (i) "Qualified taxpayer" means a claimant, estate, or trust that:

[~~(i) purchases a qualified heavy duty vehicle; and~~]

(i) makes a qualified purchase; and

(ii) receives a tax credit certificate from the director.

[~~(h) "Small fleet" means 40 or fewer heavy duty vehicles registered in the state and owned by a single claimant, estate, or trust.~~]

[~~(i)~~] (j) "Tax credit certificate" means a certificate issued by the director certifying that a claimant, estate, or trust is entitled to a tax credit as provided in this section and stating the amount of the tax credit.

(k) "Zero emissions credit amount" means:

(i) for qualified heavy equipment that has a power rating of 1,000 horsepower or less, $500 multiplied by the qualified heavy equipment's power rating, measured in horsepower; or

(ii) for qualified heavy equipment that has a power rating of more than 1,000 horsepower, $1,000 multiplied by the qualified heavy equipment's power rating, measured in horsepower.

[~~(2) A qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter:~~]

[~~(a) in an amount equal to:~~]

[~~(i) $15,000, if the qualified purchase occurs during calendar year 2021;~~]

[~~(ii) $13,500, if the qualified purchase occurs during calendar year 2022;~~]

[~~(iii) $12,000, if the qualified purchase occurs during calendar year 2023;~~]

[~~(iv) $10,500, if the qualified purchase occurs during calendar year 2024;~~]

[~~(v) $9,000, if the qualified purchase occurs during calendar year 2025;~~]

[~~(vi) $7,500, if the qualified purchase occurs during calendar year 2026;~~]

[~~(vii) $6,000, if the qualified purchase occurs during calendar year 2027;~~]

[~~(viii) $4,500, if the qualified purchase occurs during calendar year 2028;~~]

[~~(ix) $3,000, if the qualified purchase occurs during calendar year 2029; and~~]

[~~(x) $1,500, if the qualified purchase occurs during calendar year 2030; and~~]

[~~(b) if the qualified taxpayer certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state.~~]

[~~(3) (a) Except as provided in Subsection (3)(b), a claimant, estate, or trust may not submit an application for, and the director may not issue to the claimant, estate, or trust, a tax credit certificate under this section in any taxable year for a qualified purchase if the director has already issued tax credit certificates to the claimant, estate, or trust for 10 qualified purchases in the same taxable year.~~]

[~~(b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of tax credits under Subsection (5) has not been claimed, a claimant, estate, or trust may submit an application for, and the director may issue to the claimant, estate, or trust, one or more tax credit certificates for up to eight additional qualified purchases, even if the director has already issued to that claimant, estate, or trust tax credit certificates for the maximum number of~~

~~qualified purchases allowed under Subsection (3)(a).~~]

[~~(4) (a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits available under this section for qualified taxpayers with a small fleet.~~]

[~~(b) Subsection (4)(a) does not prevent a claimant, estate, or trust from submitting an application for, or the director from issuing, a tax credit certificate if, before October 1, qualified taxpayers with a small fleet have not reserved under Subsection (5)(b) tax credits for the full amount reserved under Subsection (4)(a).~~]

[~~(5) (a) The aggregate annual total amount of tax credits represented by tax credit certificates that the director issues under this section and Section 59-7-618.1 may not exceed $500,000.~~]

[~~(b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to establish a process under which a claimant, estate, or trust may reserve a potential tax credit under this section for a limited time to allow the claimant, estate, or trust to make a qualified purchase with the assurance that the aggregate limit under Subsection (5)(a) will not be met before the claimant, estate, or trust is able to submit an application for a tax credit certificate.~~]

(2) For a taxable year beginning on or after January 1, 2022, and before January 1, 2031, a qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter:

(a) in an amount equal to:

(i) except as provided in Subsection (2)(a)(ii), the zero emissions credit amount; or

(ii) for a qualified purchase that is heavy equipment fueled by natural gas, the near zero emissions credit amount; and

(b) if the qualified taxpayer certifies under oath that:

(i) the qualified heavy equipment will be used in the state; or

(ii) if the qualified equipment is a motor vehicle as defined in Section 41-1a-102, over 50% of the miles that the qualified heavy equipment will travel annually will be within the state.

(3) (a) The director may not issue to a qualified taxpayer one or more tax credit certificates that, in aggregate, exceed $500,000 in tax credit under this section for a taxable year.

(b) The director may reduce the amount of tax credit that is allowed under this section for a qualified purchase to the extent necessary to comply with the limit established in Subsection (3)(a).

[~~(6)~~] (4) (a) (i) A claimant, estate, or trust wishing to claim a tax credit under this section shall, using forms the board requires by rule:

(A) submit to the director an application for a tax credit;

(B) provide the director proof of a qualified purchase; and

(C) submit to the director the certification under oath required under Subsection (2)(b).

(ii) Upon receiving the application, proof, and certification required under Subsection [~~(6)~~] (4)(a)(i), the director shall provide the claimant, estate, or trust a written statement from the director acknowledging receipt of the proof.

(b) If the director determines that a claimant, estate, or trust qualifies for a tax credit under this section, the director shall:

(i) determine the amount of tax credit the claimant, estate, or trust is allowed under this section; and

(ii) provide the claimant, estate, or trust with a written tax credit certificate:

(A) stating that the claimant, estate, or trust has qualified for a tax credit; and

(B) showing the amount of tax credit for which the claimant, estate, or trust has qualified under this section.

(c) A qualified taxpayer shall retain the tax credit certificate.

(d) The director shall at least annually submit to the commission a list of all qualified taxpayers to which the director has issued a tax credit certificate and the amount of each tax credit represented by the tax credit certificates.

[~~(7)~~] (5) The tax credit under this section is allowed only:

(a) against a tax owed under this chapter in the taxable year by the qualified taxpayer; and

(b) for the taxable year in which the qualified purchase occurs[~~; and~~].

[~~(c) once per vehicle.~~]

[~~(8)~~] (6) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this section to another person.

[~~(9)~~] (7) If the qualified taxpayer receives a tax credit certificate under this section that allows a tax credit in an amount that exceeds the qualified taxpayer's tax liability under this chapter for a taxable year, the qualified taxpayer may carry forward the amount of the tax credit that exceeds the tax liability for a period that does not exceed the next five taxable years.

Section 4. Section **63I-1-211** is amended to read:

63I-1-211. Repeal dates, Title 11.

<u>(1) Subsection 11-58-203(4), which authorizes the Utah Inland Port Authority to provide grants for the purchase of certain heavy equipment, is repealed July 1, 2031.</u>

<u>(2)</u> Title 11, Chapter 59, Point of the Mountain State Land Authority Act, is repealed January 1, 2029.

Section 5. Section **63I-1-259** is amended to read:

63I-1-259. Repeal dates, Title 59.

(1) Section 59-1-213.1 is repealed on May 9, 2024.

(2) Section 59-1-213.2 is repealed on May 9, 2024.

(3) Subsection 59-1-405(1)(g) is repealed on May 9, 2024.

(4) Subsection 59-1-405(2)(b) is repealed on May 9, 2024.

(5) Section 59-7-618.1 is repealed July 1, [~~2029~~] <u>2031</u>.

(6) Section 59-9-102.5 is repealed December 31, 2030.

(7) Section 59-10-1033.1 is repealed July 1, [~~2029~~] <u>2031</u>.

(8) Title 59, Chapter 28, State Transient Room Tax Act, is repealed on January 1, 2023.

Section 6. **Retrospective operation.**

<u>This bill has retrospective operation for a taxable year beginning on or after January 1, 2022.</u>